

## **EXHIBIT 6**

Sacramento, CA

Page 1

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY )

AVERAGE WHOLESALE PRICE ) MDL No. 1456

LITIGATION )

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THIS DOCUMENT RELATES TO ) Civil Action:

State of California, ex rel. ) 01-12258-PBS

Ven-A-Care v. Abbott )

Laboratories, Inc., et al. )

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WEDNESDAY, DECEMBER 3, 2008

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VIDEOTAPED DEPOSITION OF

THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES

by J. KEVIN GOROSPE, Pharm.D.

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Reported By: CAROL NYGARD DROBNY, CSR No. 4018

Registered Merit Reporter

## Sacramento, CA

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<p>1 THE WITNESS: Yes.</p> <p>2 BY MR. ROBBEN:</p> <p>3 Q. When -- when was that?</p> <p>4 A. I believe it came up in the</p> <p>5 Legislature.</p> <p>6 The Legislature itself brought it up as</p> <p>7 a -- as a potential in one of the past few budget</p> <p>8 cycles.</p> <p>9 Q. So --</p> <p>10 A. I don't recall which.</p> <p>11 Q. But somewhat recently, last few years?</p> <p>12 A. Yes.</p> <p>13 MR. ROBBEN: Okay. Let me show you a</p> <p>14 document.</p> <p>15 (Exhibit CA-Gorospe 002 was marked</p> <p>16 for Identification.)</p> <p>17 MR. ROBBEN: If you can take a look at</p> <p>18 that, I'll identify it for the record.</p> <p>19 It's Gorospe Exhibit 2, and it's a</p> <p>20 document that's Bates stamped CAG/DHS0075392</p> <p>21 through 75408.</p> <p>22 THE WITNESS: Okay.</p>	<p>1 Q. If you could turn -- there's a --</p> <p>2 there's a -- what looks like a PowerPoint, sort</p> <p>3 of a reduced size PowerPoint, attached to this.</p> <p>4 The first -- the first one, the first</p> <p>5 PowerPoint, if you could turn to page 4 of it.</p> <p>6 It's the Bates number 75397.</p> <p>7 And do you see that there's three --</p> <p>8 there's two slides there that -- that the title</p> <p>9 is "Institute A Mandatory State Supplemental Drug</p> <p>10 Rebate."</p> <p>11 Do you see those?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Were you at this presentation</p> <p>14 when it was given?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And what -- do you -- who -- the</p> <p>17 slides on the couple of pages back appear to say</p> <p>18 that Thomas Ahrens did this part of the</p> <p>19 presentation.</p> <p>20 Is that -- is that who gave the</p> <p>21 presentation on this part?</p> <p>22 A. That is correct.</p>
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<p>1 BY MR. ROBBEN:</p> <p>2 Q. Okay. Do you recognize this -- this</p> <p>3 document?</p> <p>4 A. Yes.</p> <p>5 Q. What -- what is it?</p> <p>6 Can you explain what it is?</p> <p>7 A. This document is an agenda or -- as it</p> <p>8 says, a draft proposed agenda of a meeting which</p> <p>9 then Governor Gray Davis directed the secretary,</p> <p>10 Grantland Johnson, to initiate, which would bring</p> <p>11 together several different stakeholder groups to</p> <p>12 discuss potential changes to the Medi-Cal</p> <p>13 Pharmacy Program that might lower overall costs</p> <p>14 in the program.</p> <p>15 Q. Now, it says "Draft Agenda" for -- it</p> <p>16 looks like a meeting on March 8th, 2000.</p> <p>17 Do you know if the meeting actually did</p> <p>18 go forward on that day?</p> <p>19 A. Yes.</p> <p>20 Q. And was the agenda discussed -- at</p> <p>21 least similar to what's set out in the draft?</p> <p>22 A. Yes.</p>	<p>1 Q. And who was there as part -- at the</p> <p>2 presentation other than you, and Ahrens, and</p> <p>3 other people at Medi-Cal?</p> <p>4 A. I don't recall the various names of the</p> <p>5 individuals, but it was a large number of</p> <p>6 individuals, as many as 80.</p> <p>7 Q. It was the stakeholder groups that you</p> <p>8 talked about?</p> <p>9 A. That is correct.</p> <p>10 Q. Was this a -- a discussion, or was it</p> <p>11 more just a presentation?</p> <p>12 In other words, was -- as you went</p> <p>13 through the slides, as Mr. Ahrens went through</p> <p>14 the slides, did the audience interact with him or</p> <p>15 was it just he made the presentation?</p> <p>16 A. I believe the -- the nature of the</p> <p>17 presentation was to -- was to do the</p> <p>18 presentation, and then in order to -- to foster a</p> <p>19 brainstorming session to follow.</p> <p>20 Q. And did that follow that day or was it</p> <p>21 something that followed later in time -- or both?</p> <p>22 A. Both.</p>

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